DRAFTPERMIT

Permit No: 200802453-SB

Municipality: Town of Madison

Work Area: Neck River off property located at 10 Salt Meadow Road

Permittee: Barry Nann

10 Salt Meadow Road Madison, CT 06443

Pursuant to section 22a-359 through 22a-363f and 22a-28 through 22a-35 of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98, and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to install a dock for private recreational boating access as is more specifically described below in the <u>SCOPE OF AUTHORIZATION</u>, in the Neck River off property identified as the "work area" above.

*****NOTICE TO PERMITTEES AND CONTRACTORS*****

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.

SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work as described in application 200802453-SB, including seven (7) sheets of plans identified as Figures 1 through 3, 6 and 7 dated July 31, 2008 and Figures 4 and 5 dated July 31, 2008 and revised February 13, 2009 submitted by the Permittee to the Commissioner and attached hereto:

Install a 4' wide by 108' long fixed timber walkway, a 3' wide by 29' long aluminum ramp, and a 6.2' wide by 16' long floating dock with skids secured by helical anchors and chains.

SPECIAL TERMS AND CONDITIONS

1. Not later than two weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the

- name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.
- 2. Except as specifically authorized by this permit, no equipment or material including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or accessway other than as provided herein.
- 3. The Permittee shall not conduct the construction work authorized pursuant to the <u>SCOPE OF AUTHORIZATION</u>, above, between May 1 and August 31 of any year to protect breeding birds.
- 4. The Permittee shall conduct the work authorized pursuant to the <u>SCOPE OF AUTHORIZATION</u>, above, in accordance with the "Construction Methodology & Project Sequencing" section on pages 2 and 3 of the July 31, 2008 application addendum, attached hereto.
- 5. The Permittee shall ensure that any work boat utilized in the transport of the ramp and float to and from the site shall access the work site only during periods of high water. Any such work boat must move to deeper waters during periods of low water in the area, but shall not interfere with navigation in the river.
- 6. The Permittee shall install the skids authorized pursuant to the <u>SCOPE OF AUTHORIZATION</u>, above, in order to maintain a minimum clearance of 18" between the bottom of the float authorized herein and the substrate. Such skids shall be maintained in good condition for the life of the dock.
- 7. The Permittee shall remove the ramp and float authorized herein no later than November 15 of any calendar year and shall not install such ramp and float before April 15 of any calendar year. Upon removal of the ramp and float authorized herein, the Permittee shall store such structures at an upland location, landward of the high tide line and outside of tidal wetlands.
- 8. On or before (a) 90 days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one year extension thereof, whichever is earlier, the Permittee shall submit to the Commissioner "as-built" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all contours, bathymetries, tidal datums, and structures.

GENERAL TERMS AND CONDITIONS

- 1. All work authorized by this permit shall be completed within five (5) years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least 30 days prior to said work completion date. Such request shall describe the work done to date, work which still

- needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request at her sole discretion.
- b. Any work authorized herein conducted after said work completion date or any authorized one-year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
- 2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
- 3. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, CGS sections 22a-28 through 22a-35 and CGS sections 22a-359 through 22a-363f.
- 4. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of this permit to be given to any contractor(s) employed to conduct such work. At the work area the Permittee shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
- 5. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three days prior to the commencement of such work and no later than seven days after the completion of such work.
- 6. All waste material generated by the performance of the work authorized herein shall be disposed of by the Permittee at an upland site approved for the disposal of such waste material, as applicable.
- 7. In undertaking the work authorized hereunder, the Permittee shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit/certificate, "pollution" means "pollution" as that term is defined by CGS section 22a-423.
- 8. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or access way in connection with such work, to their condition prior to the commencement of such work.
- 9. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127

(860) 424-3034 Fax # (860) 424-4054

- 10. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
- 11. The work specified in the <u>SCOPE OF AUTHORIZATION</u> is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
- 12. This permit may be revoked, suspended, or modified in accordance with applicable law.
- 13. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as the Commissioner authorizes a transfer.
- 14. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
- 15. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
- 16. In the event that the Permittee becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply

with any dates that may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.

- 17. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
- 18. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.
- 19. The issuance of this permit does not relieve the Permittee of his obligations to obtain any other approvals required by applicable federal, state and local law.
- 20. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
- 21. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Issued on	. 2010
issued on	. 2010

STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION

Betsey Wingfield
Bureau Chief
Bureau of Water Protection & Land Reuse

Permit No. 200802453-SB Barry Nann, Permittee

sb

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

TO: Permit Section
Department of Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127

PERMITTEE: Barry Nann
10 Salt Meadow Road

	Madison, CT 06443	
Permit No:	200802453-SB	
CONTRACTOR 1:		
Address:		
Telephone #:		
CONTRACTOR 2:		
Address:		
Telephone #:		
CONTRACTOR 3:		
Address:		
Telephone #:		
EXPECTED DATE O	F COMMENCEMENT OF W	ORK:
EXPECTED DATE O	F COMPLETION OF WORK	:
PERMITTEE:		
	(signature)	(date)

Pre-Application Review & Proposed Filing Category

Based upon the site characteristics, specifically the presence of the tidal wetlands along the waterside area, this project is not eligible for a 4/40 General Permit. As a result, this project has been filed under a DEP Structures, Dredging & Fill and Tidal Wetlands permit application. A site visit with Susan Bailey of the DEP on 5/7/08 & 5/30/08 and an approved conceptual dock drawing on 7/11/08 confirmed this project's eligibility under the full permit application process.

Proposed Project Description & Scope of Authorization

The proposed Scope of Authorization is outlined below and is shown on application Figures 1-6, dated July 31, 2008.

Construct a dock configuration consisting of the following three components:

- A 3' x 108' *timber walkway* supported by sixteen (16) 6" piles and reached on the landward end by *timber stairs*.
- A 3' x 29' aluminum ramp extending from the terminus of the fixed pier and secured to the floating dock section.
- A 6.2' x 16' *float section with timber skids* secured in place by four (4) helical anchors and the aluminum ramp. The timber skids and helical anchors are detailed below.
 - Skids The float section will be outfitted with two (2) timber skids, measuring approximately 3" x 7.25" x 15.5', that are oriented lengthwise along the bottom. Each skid is secured by four (4) vertical skid supports, measuring approximately 3" x 7.25" x 22.5".
 - o **Helical Anchors** Four (4) 48" long and 3" diameter helical anchors will be used to anchor the corners of the float to the marine substrate. The anchoring system will require the use of approximately four (4) 25' lengths of ½" galvanized chain that will connect the corners of the float to the head of the anchors.

Construction Methodology & Project Sequencing

The construction of the new dock configuration will be conducted in multiple phases as outlined below.

- 1. To begin the installation of the new dock, the contractor will start during a period of low water and drive all associated piles with hand held equipment. Equipment and tools will be stored on the upland; laborers in boots will be kept to a minimum. Once the piles are in place, the timber cross-bracing will be installed by hand during a period of low water.
- 2. Once the support structures are in place, the selected contractor will then work on the installation of the walkway stringers and decking. Working with hand tools,

- timber beams will be secured to opposing piles and will serve to support the primary stringers and decking. The contractor will then run the primary stringers perpendicular to the support beams along the entire length of the structure. The decking will then be installed upon the stringers.
- 3. The last project phase will be the construction and installation of the proposed ramp and float. The aluminum ramp will be purchased from a manufacturer and the proposed float will be constructed off-site. These structures will then be towed by a work boat to the project site and installed/connected during periods of low and high water as necessary. The helix anchors will be driven into the marine substrate with hand tools during periods of low tide.

Dock Location Alternatives Analysis

During the initial planning stages of the proposed project, Coastline Consulting & Development, LLC carefully evaluated the existing site conditions. A site evaluation and waterside survey revealed a potentially limiting factor - a large expanse of tidal wetlands occupying the entire waterfront portion of property. This limiting factor was critical in evaluating the potential locations for the proposed dock configuration. It was apparent that the selected location has the most minimized impact to the wetland resources. The potential location alternatives are detailed below:

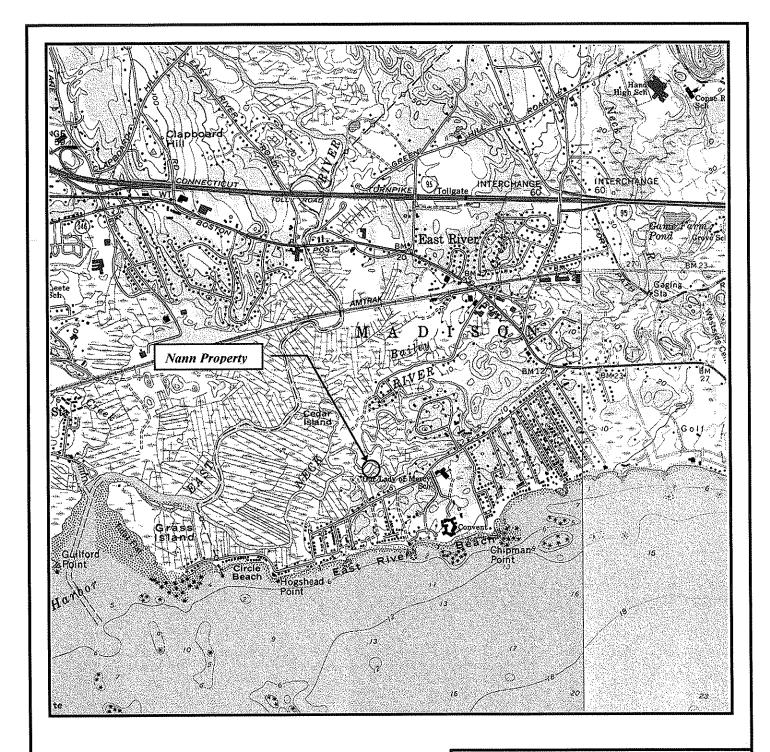
- Central Location A proposed dock configuration in this area was initially
 considered by Coastline Consulting & Development, LLC because it is the
 preferred location as generally recommended by the DEP. However, a dock built
 in this location would require a long fixed walkway that spans the greatest
 distance of tidal wetlands on the property.
- Westerly Location (As proposed) A proposed dock configuration in this area
 allows for a minimized structure that spans the shortest area of tidal vegetation.
 As this location closely parallels the neighboring property line, the abutter has
 provided a "no-objection" letter (See Correspondence Section). Therefore,
 because this location affords the least amount of impact to tidal wetland
 resources, and the westerly abutting neighbor has consented to the project, it is
 evident that this location is the best option for this project.

Environmental Impacts

Environmentally, little to no adverse impacts are anticipated from the proposed dock configuration as it has been minimized to the greatest extent possible. During the preliminary planning stages of this project, Coastline Consulting & Development, LLC carefully evaluated the coastal resources in the surrounding area. Based upon our review, although there is not a shellfish concentration area in the immediate area, there are well defined areas of tidal wetlands. Specific design measures utilized to avoid impacts to these resources area discussed below.

Tidal Wetlands

To avoid impacts to tidal wetland resources, the specific design measures implemented with the proposed dock configuration include: 1) Identifying and



SCALE: 1 = 12,000

NOTE: REFER TO NOTES FOR THIS FIGURE IN PROJECT DRAWING NOTES ON FIGURE 6 OF 6.

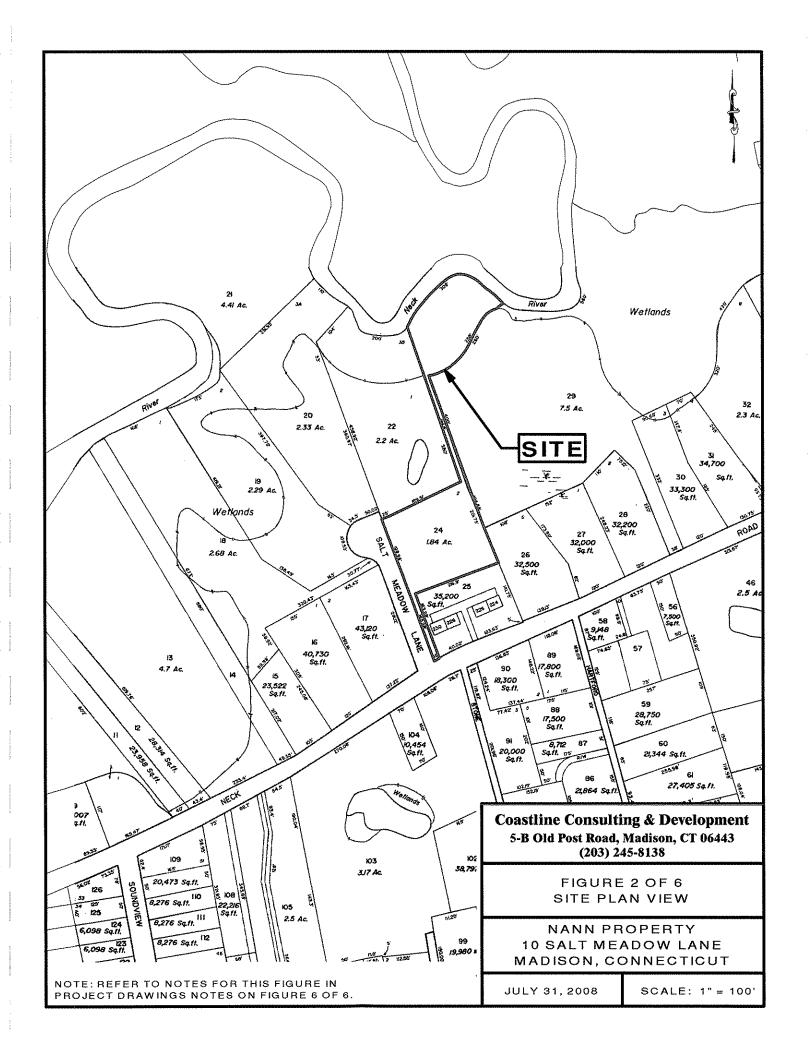
Coastline Consulting & Development 5-B Old Post Road, Madison CT 06443 (203) 245-8138

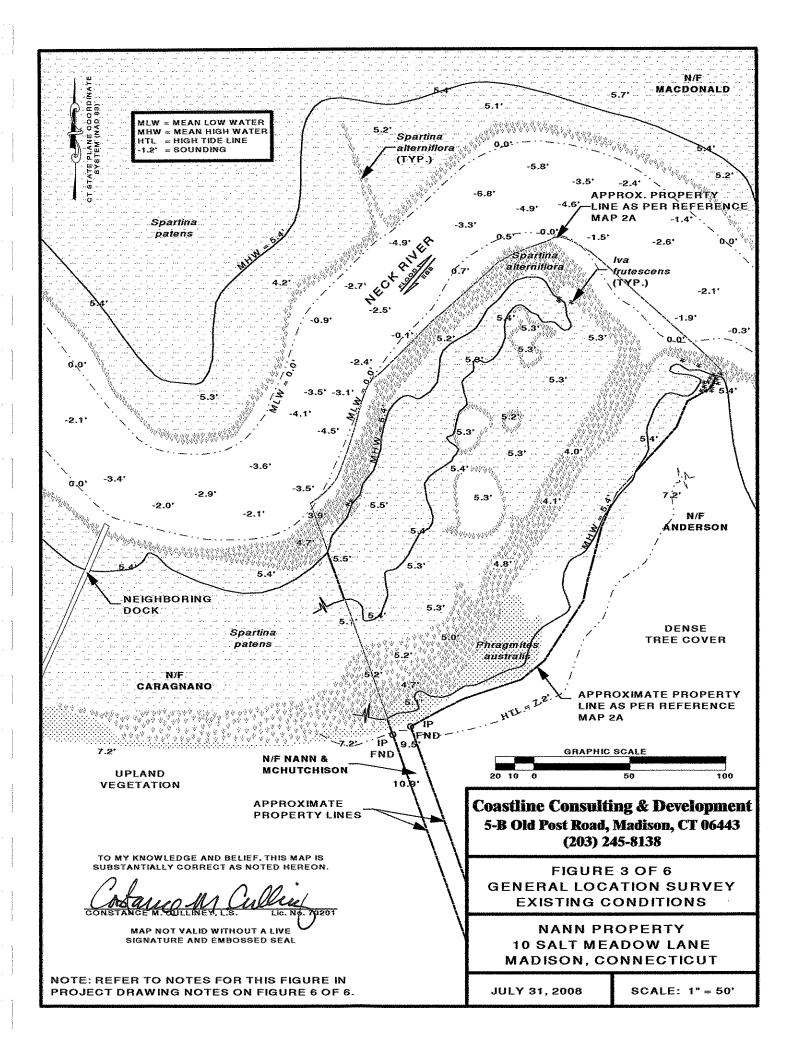
> FIGURE 1 OF 6 SITE LOCATION MAP

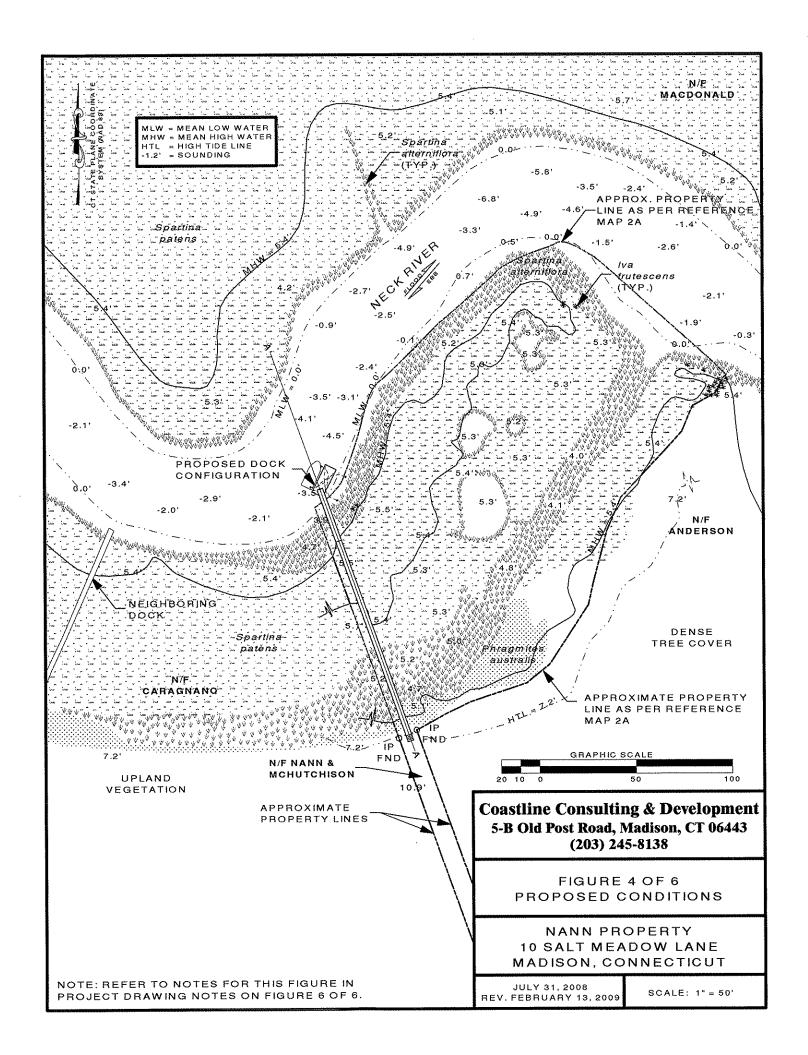
NANN PROPERTY 10 SALT MEADOW LANE MADISON, CONNECTICUT

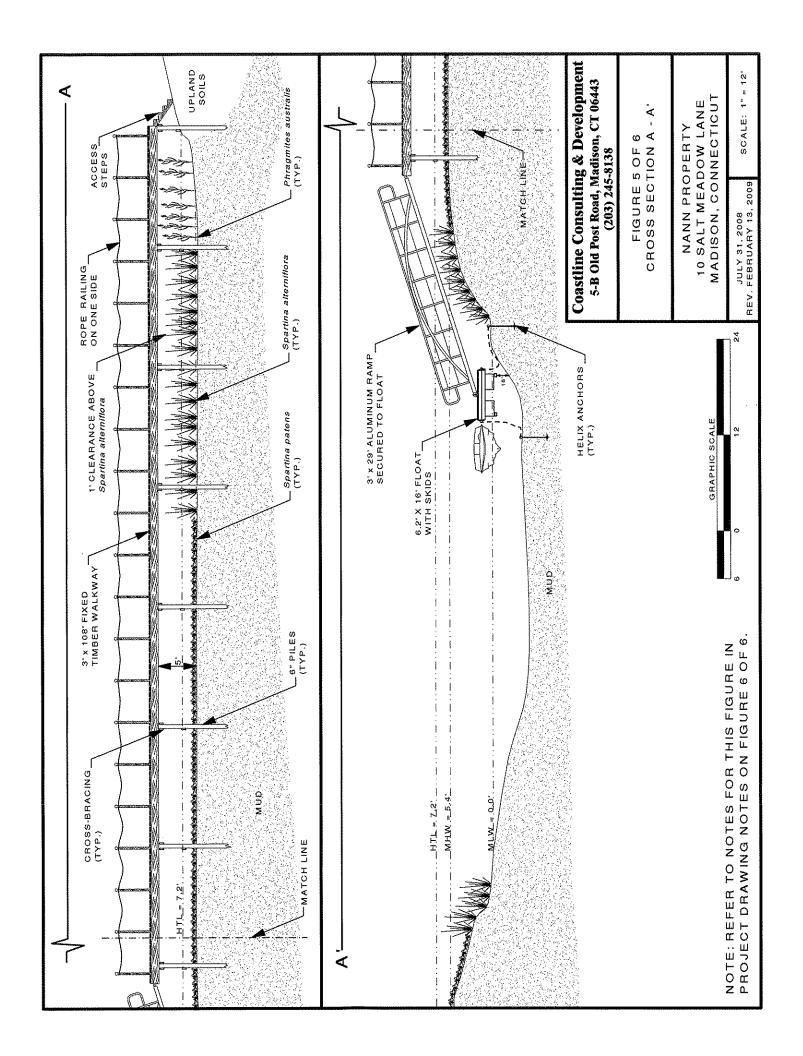
JULY 31, 2008

FILE NO.: 07-98









PROJECT DRAWING NOTES

FIGURE 1 OF 6 - SITE LOCATION MAP

 MAP TAKEN FROM TOPO, INC., 7.5 MINUTE USGS TOPOGRAPHIC MAPS OF THE GUILFORD, CONNECTICUT QUADRANGLE, 1960 (PHOTO INSPECTED 1976, PHOTO REVISED 1984). SCALE: 1 = 12,000.

FIGURE 2 OF 6 - SITE PLAN VIEW

I. THE EXISTING SITE CONDITIONS ARE APPROXIMATE AND ARE BASED UPON MADISON ASSESSOR MAPS #12 & #23 AND OBSERVATIONS MADE IN THE FIELD.

FIGURE 3 OF 6 – GENERAL LOCATION SURVEY EXISTING CONDITIONS

- A. THIS MAP/SURVEY HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-I THROUGH 20-300b-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC., ON SEPTEMBER 26, 1996.
 B. THIS MAP/SURVEY WAS PREPARED FROM RECORD RESEARCH, OTHER MAPS, LIMITED FIELD MEASUREMENTS
 - COLLECTED ON 05-01-2008 AND 05-13-2008, AND OTHER SOURCES. IT IS NOT TO BE CONSTRUED AS A PROPERTY/BOUNDARY OR LIMITED PROPERTY/BOUNDARY SURVEY, AND IS SUBJECT TO SUCH FACTS AS SAID SURVEYS MAY DISCLOSE.
 - C. THE TYPE OF SURVEY IS A "GENERAL LOCATION SURVEY" INTENDED TO DEPICT THE LOCATIONS AND ELEVATIONS OF CERTAIN EXISTING SITE & COASTAL IMPROVEMENTS AND FEATURES.
 - D. FOR PROPERTY LINES: THE HORIZONTAL ACCURACY CONFORMS TO "CLASS D". FOR SITE AND COASTAL FEATURES: THE HORIZONTAL ACCURACY CONFORMS TO "CLASS D", AND THE TOPOGRAPHICAL ACCURACY CONFORMS TO "CLASS T-D".
- 2. REFERENCE IS MADE TO THE FOLLOWING MAPS:
 - A. "SUBDIVISION OF PROPERTY OWNED BY PATRICIA A. CARAGNANO, MADISON, CONN" DATED SEPT. 11, 1985, REVISED TO 10-25-85, SCALE 1"=40', AND PREPARED BY ROBERT C. HART, P.E. & LS., MADISON, CONN.
 - B. MADISON ASSESSOR MAPS #12 (LOT #24) AND MAP #23.
- 3. SOUNDINGS AND UPLAND ELEVATIONS ARE IN FEET, FIELD-LOCATED BY COASTLINE CONSULTING & DEVELOPMENT, LLC, AND REFERENCED TO THE MEAN LOW WATER (MLW) TIDAL DATUM BASED ON NGVD 29 VERTICAL DATUM.
- 4. THIS MAP IS FOR PLANNING AND PERMITTING PURPOSES ONLY AND IS NOT INTENDED FOR BID DOCUMENTS, STRUCTURAL DESIGN, CONSTRUCTION, OR FOR FILING ON LAND RECORDS IN TOWN OR CITY CLERK'S OFFICE. THE PROPERTY LINES ARE DEPICTED GRAPHICALLY ONLY, AND DO NOT REPRESENT ANY PROPERTY/BOUNDARY OPINION. NOT ALL IMPROVEMENTS AND FEATURES HAVE BEEN DEPICTED.
- 5. SITE IS SUBJECT TO AND/OR TOGETHER WITH CERTAIN LITTORAL, RIPARIAN, OR OTHER RIGHTS AS PER THE RECORD MAY APPEAR.

CONSTANCE M. CULLINEY, L.S. Lic. No. 79201

FIGURES 4 & 5 OF 6 PROPOSED CONDITIONS & CROSS-SECTION

- THESE APPLICATION DRAWINGS WERE PREPARED FROM RECORDED RESEARCH, OTHER MAPS, LIMITED FIELD MEASUREMENTS COLLECTED ON 05/01/08 & 5/13/08, AND OTHER SOURCES. THEY ARE NOT TO BE CONSTRUED AS PROPERTY/BOUNDARY OR LIMITED PROPERTY/BOUNDARY SURVEYS.
- 2. REFERENCE IS MADE TO THE FOLLOWING MAPS & APPLICATION DRAWINGS:
 - A. FOR FIGURE 4 OF 6: "FIGURE 3 OF 6, EXISTING CONDITIONS, GENERAL LOCATION SURVEY. NANN PROPERTY, 10 SALT MEADOW LANE, MADISON CONNECTICUT." DATED JULY 31, 2008 AND PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC.
 - B. FOR FIGURE 5 OF 6: "FIGURE 4 OF 6, PROPOSED CONDITIONS. NANN PROPERTY, 10 SALT MEADOW LANE, MADISON, CONNECTICUT." DATED JULY 31, 2008 AND PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC.
- SOUNDINGS AND UPLAND ELEVATIONS ARE IN FEET, FIELD LOCATED BY COASTLINE CONSULTING & DEVELOPMENT, LLC, AND REFERENCED TO THE MEAN LOW WATER (MLW) TIDAL DATUM BASED ON NGVD 29 VERTICAL DATUM.
- 4. THESE APPLICATION DRAWINGS ARE FOR PLANNING AND PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR BID DOCUMENTS, STRUCTURAL DESIGN, OR CONSTRUCTION. NOT ALL IMPROVEMENTS AND FEATURES HAVE BEEN DEPICTED.

Coastline Consulting & Development 5-B Old Post Road, Madison CT 06443 (203) 245-8138

FIGURE 6 of 6 PROJECT DRAWING NOTES

NANN PROPERTY 10 SALT MEADOW LANE MADISON, CONNECTICUT

JULY 31, 2008

FILE NO.: 07-98

